

IN RE: PETITION FOR ZONING VARIANCE
R/S Bear Creek Drive, N/Cor. of
Pinewood and Bear Creek Drive
8222 Bear Creek Drive
12th Election District
7th Councilmanic District
Raymond T. Vrablic, Jr., et ux
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 91-76-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a zoning variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side street setback of 20 ft. in lieu of 25 ft. and a front yard setback of 17 ft. in lieu of 18.25 ft. front yard average, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioner, Raymond T. Vrablic, Jr., appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 8222 Bear Creek Drive, consists of less than .3 acres, zoned D.R.S.5, was improved with a single family dwelling, and used as two apartments, until the Summer of 1990 when it became a vacant lot. The previous dwelling was over 40 years of age, with unsafe conditions, and was razed by the Petitioner.

Testimony indicated that Petitioner has purchased the lot to construct a single family residential unit to be used by his family. The subject lot is located at the corner of Bear Creek Drive and Pinewood Drive. Testimony further indicated that the proposed house would be 32 ft. from the center of Bear Creek Drive which will provide a 20 ft. side yard setback. The front of the lot facing on Pinewood Drive narrows from

Bear Creek Drive and, therefore, the farther the house is removed from Bear Creek Drive, the narrower the front yard becomes, as indicated on Petitioner's Exhibit No. 1. In the current configuration which represents the same location as to the pre-existing one, the house will be closer to Pinewood Drive than is permitted under the B.C.Z.R.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of December, 1990 that the Petition for a Zoning Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side street setback of 20 ft. in lieu of 25 ft. and a front yard setback of 17 ft., facing Pinewood Drive, in lieu of 18.25 ft. front yard average, in accordance with the Petitioner's Exhibit No.1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk

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until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:mmm
cc: Peoples Counsel

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

847-3553

December 5, 1990

Mr. and Mrs. Raymond T. Vrablic, Jr.
8222 Bear Creek Road
Baltimore, Maryland 21222

RE: Petition for Zoning Variance
Case No. 91-76-A

Dear Mr. and Mrs. Vrablic:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines
Zoning Commissioner

JRH:mmm
att.
cc: Peoples Counsel

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **91-76-A 21**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1, Policy 18-14 to allow a side street setback of 20 ft. in lieu of 25 ft. and a front yard setback of 17 ft. in lieu of 18.25 ft. front yard average.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Lot is irregular shape and difficult to put a house on lot.
2. Old existing house, arancher style home was torn down because it was unsafe to live in. The roof had fallen through.
3. Neighboring houses are all close to the street.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Raymond T. Vrablic, Jr.
(Type or Print Name)

Signature: Raymond T. Vrablic, Jr.

Address: 8222 Bear Creek Dr. 574-1190

City and State: Baltimore, Md. 21222

Attorney for Petitioner: Raymond T. Vrablic

Address: 1421 B. Hadwick Dr. 574-1190

City and State: Baltimore, Md. 21222

Attorney's Telephone No.: 574-1190

ORDERED By The Zoning Commissioner of Baltimore County, this 22 day of August, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12th day of Oct, 1990, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE 8-22-90 BY Mr. Haines

(over)

Zoning Description

91-76-A
Beginning at a point on the East side of Bear Creek Drive which is 30 ft. of right-of-way width at the distance of 25 ft. of the centerline of the nearest improved intersecting street Pinewood Drive which is 30 ft. of right-of-way width. * Being Lots #145 & 146 in the subdivision of "Rosewald Beach" as recorded in Baltimore County Plat Book #10, Folio #88 containing (617.6) sq. ft. Also known as 8222 Bear Creek Drive and located in the (12th) Election District.

CRITICAL AREA

#21

91-76-A

NOTE
FURTHER INFORMATION
PROVIDED BY
APPLICANT
AUG 3, 1990
SPA

#21

CRITICAL AREA

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: **2985**

Date: 8-22-90

PUBLIC HEARING FEES: 0.00
ZONING VARIANCE FEE: 1.00
LAST NAME OF OWNER: VRABLIC

TOTAL: \$35.00

Cashier Validation: 040440079MCHRC
BA 009:34AM07-19-90 \$35.00

Please make checks payable to: Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th Date of Posting: 9/27/90
Posted for: Variance
Petitioner: Raymond T. Vrablic, Jr.
Location of property: 8222 Bear Creek Drive, N/Cor. of Pinewood & Bear Creek Drive
Location of Sign: Facing intersection of Bear Creek & Pinewood Dr.
Remarks: Opp. to 12th Election District Property of Baltimore
Posted by: Mr. Haines Date of return: 9/28/90
Number of Signs: 1
Stick - Posted to Post Date on 10/16/90

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

September 20, 19 90

THIS IS TO CERTIFY, that the annexed advertisement of Balto., Co. Zoning Office, Notice of Hearing - Case #91-76-A - P.O. #0107632 - Ref: #W46062 - 79 lines @ \$39.50 was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 21st day of September 1990; that is to say, the same was inserted in the issues of September 20, 1990.

Kimbel Publication, Inc.
per Publisher.

By Kimbel Belke

CERTIFICATE OF PUBLICATION

TOWSON, MD. 9-25-90

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9-20-90

THE JEFFERSONIAN,

S. Zebe Olszewski

Publisher

\$ 44.84

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Petition for Zoning Variance Case number: 91-76-A
8222 Bear Creek Drive on the N/Cor. of Pinewood & Bear Creek Drive
12th Election District
Petitioner(s): Raymond T. Vrablic, Jr.
Hearing Date: Friday, Oct. 19, 1990 at 2:00 p.m.
Variance to allow a side street setback of 20 ft. in lieu of 25 ft. and a front yard setback of 17 ft. in lieu of the 18.25 ft. front yard average.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
9/19/90 Sept. 20

✓ receipt
No 3967
91-76
Please make check payable to Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE 10-17-90

Raymond T. Vrablic
14218 Haduick Drive
Baltimore, Maryland 21221

Re: Petition for Zoning Variance
CASE NUMBER: 91-76-A
E/S Bear Creek Drive on the N/Cor of Pinewood & Bear Creek Drives
8222 Bear Creek Drive
12th Election District - 7th Councilmanic
Petitioner(s): Raymond T. Vrablic, Jr., et ux
HEARING: THURSDAY, NOVEMBER 29, 1990 at 9:30 a.m.

Dear Petitioner:

Please be advised that \$ 109.34 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE

Raymond T. Vrablic
14218 Haduick Drive
Baltimore, Maryland 21221

Re: Petition for Zoning Variance
CASE NUMBER: 91-76-A
E/S Bear Creek Drive on the N/Cor of Pinewood & Bear Creek Drives
8222 Bear Creek Drive
12th Election District - 7th Councilmanic
Petitioner(s): Raymond T. Vrablic, Jr., et ux
HEARING: FRIDAY, OCTOBER 19, 1990 at 2:00 p.m.

Dear Petitioner:

Please be advised that \$ 109.34 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

October 12, 1990

NOTICE OF REASSIGNMENT

CASE NUMBER(S): 91-76-A
PETITIONER(S): Raymond T. Vrablic, Jr., et ux
LOCATION: E/S Bear Creek Drive, NCor Pinewood & Bear Creek
8222 Bear Creek Drive

THE ABOVE MATTER HAS BEEN REASSIGNED. HEARING WILL NOW TAKE PLACE AS FOLLOWS:

THURSDAY, NOVEMBER 29, 1990 at 9:30 a.m.

IN THE BALTIMORE COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, ROOM 106, TOWSON, MARYLAND 21204.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY

JRH:gs
cc:

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

August 27, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
CASE NUMBER: 91-76-A
E/S Bear Creek Drive on the N/Cor of Pinewood & Bear Creek Drives
8222 Bear Creek Drive
12th Election District - 7th Councilmanic
Petitioner(s): Raymond T. Vrablic, Jr., et ux
HEARING: FRIDAY, OCTOBER 19, 1990 at 2:00 p.m.

Variance to allow a side street setback of 20 ft. in lieu of 25 ft. and a front yard setback of 17 ft. in lieu of the 18.25 ft. front yard average.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mr. & Mrs. Vrablic

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

October 12, 1990

Mr. & Mrs. Raymond T. Vrablic, Jr.
8222 Bear Creek Drive
Baltimore, MD 21222

RE: Item No. 21, Case No. 91-76-A
Petitioner: Raymond T. Vrablic, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Vrablic:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINTARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

Your petition has been received and accepted for filing this 29th day of August, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:
James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Raymond T. Vrablic, et ux
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: August 23, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Raymond T. Vrablic, Jr., Item No. 21

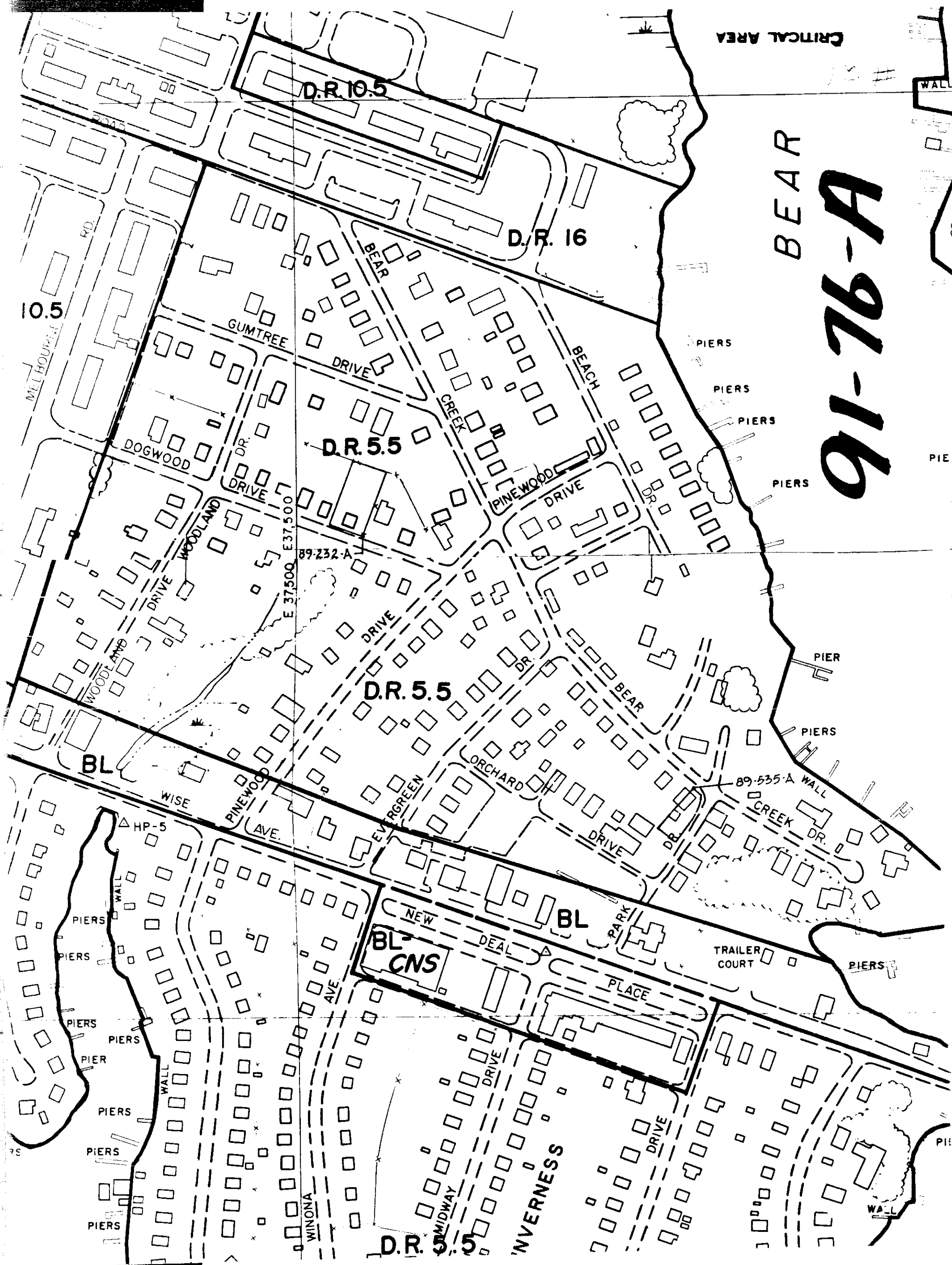
The Petitioner requests a Variance to allow a side street setback of 20 ft. in lieu of 25 ft. and a front yard setback of 17 ft. in lieu of 18.25 ft. front yard average.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM21/2AC1

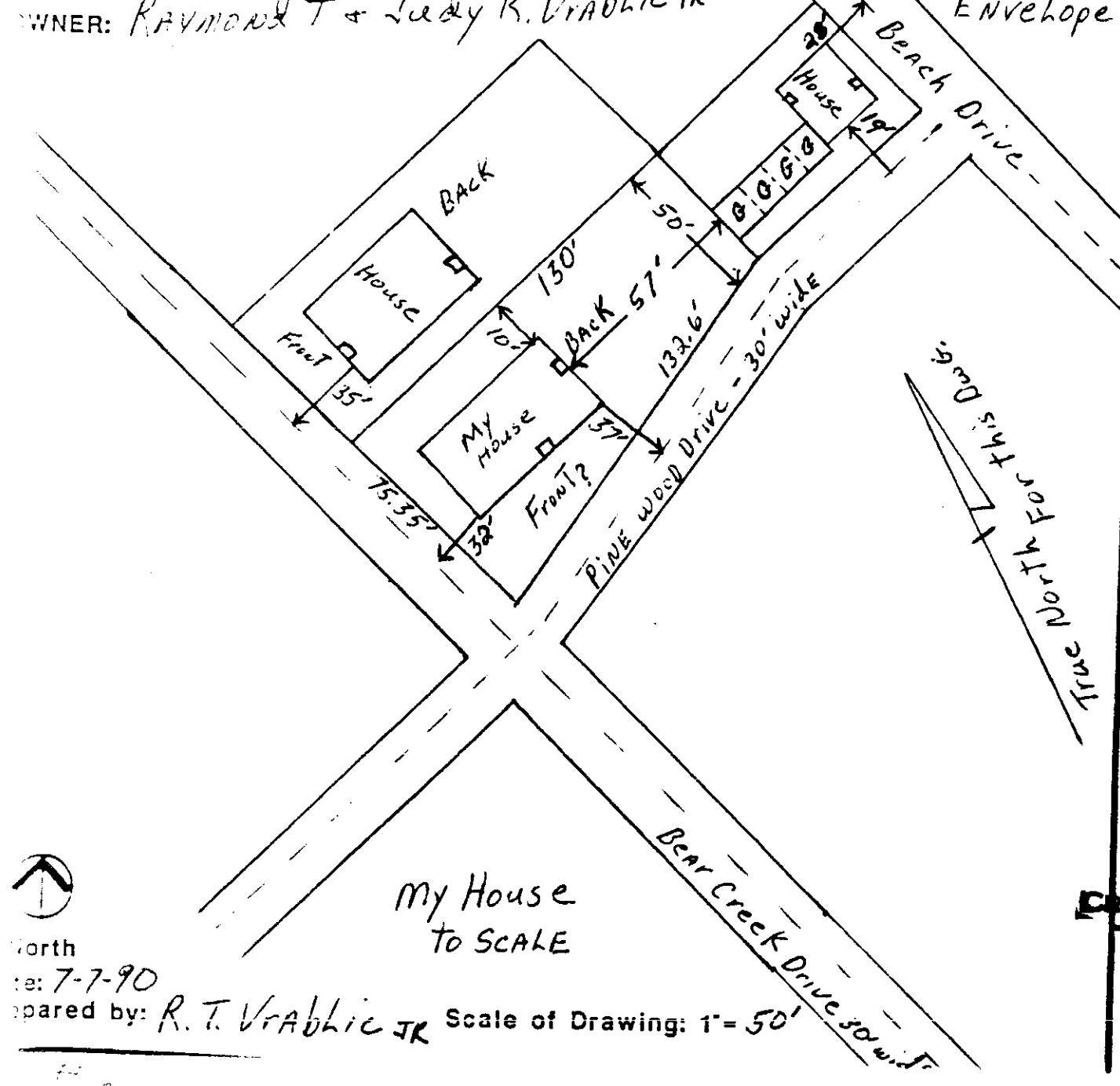
- 91-76-A



Map to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 8222 Bear Creek Drive
 Division name: Rosewald Beach
 Plat book # 10, folio 33, lot 15, section 1

OWNER: Raymond T. & Judy K. Vrablic



see pages 5 & 6 of the CHECKLIST for additional required information

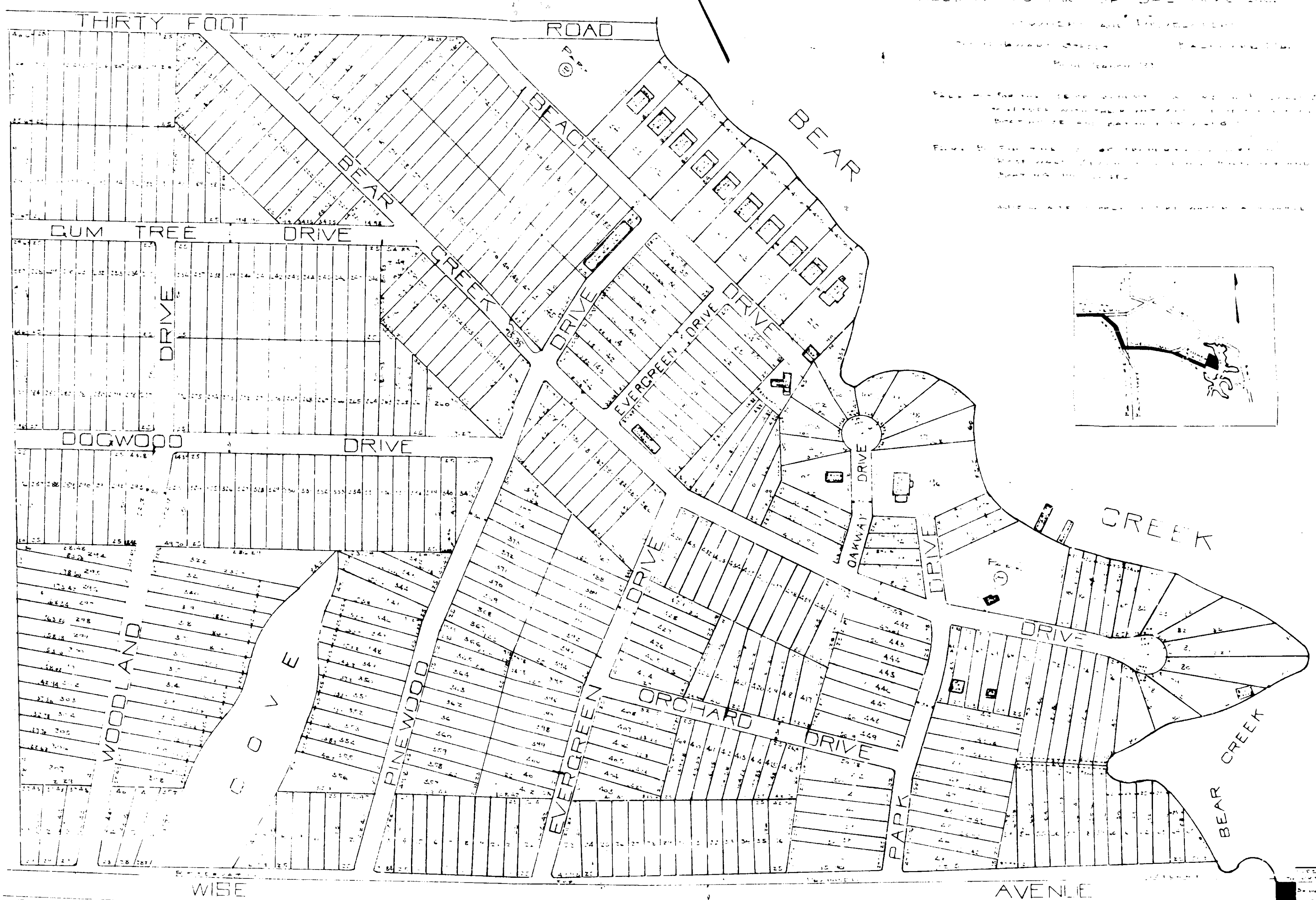
Building Envelope

Vicinity Map
 Scale: 1"=1000'

LOCATION INFORMATION
 Councilmanic District: 7
 Election District: 12
 1"=200' scale map:
 Zoning: D.R.-5.5
 Lot size: 81576 square feet

SEWER: ☒ ☐
 WATER: ☒ ☐
 Chesapeake Bay Critical Area: ☒ ☐
 Prior Zoning Hearings: ☒ ☐
 CRITICAL AREA: None
 Zoning Office USE ONLY:
 reviewed by: ITEM #: CASE#:

91-76-A



PREPARED BY AIR PHOTOGRAPHICS, INC.
 MARTINSBURG, W.V. 25401

91-76-A BALTIMORE OFFICE OF PLANNING & PHOTOGRAPHY